

PCT

WORLD INTELLECTUAL PROPERTY ORGANIZATION  
International Bureau



(39)

INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification 4 : <b>A01H 1/04, C12N 15/00, 1/00 C07H 21/02, 21/04</b>		A1	(11) International Publication Number: <b>WO 90/11682</b> (43) International Publication Date: <b>18 October 1990 (18.10.90)</b>
 (21) International Application Number: <b>PCT/US89/03565</b> (22) International Filing Date: <b>18 August 1989 (18.08.89)</b>  (30) Priority data: <b>331,338 30 March 1989 (30.03.89) US</b>			 (72) Inventors; and (75) Inventors/Applicants ( <i>for US only</i> ) : <b>JORGENSEN, Richard, A. [US/US]; NAPOLI, Carolyn, A. [US/US]; 1962 Hoover Avenue, Oakland, CA 94602 (US).</b>  (74) Agent: <b>SMITH, William, M.; Townsend &amp; Townsend, One Market Plaza, 2000 Steuart Tower, San Francisco, CA 94105 (US).</b>  (81) Designated States: <b>AT (European patent), BE (European + patent), CH (European patent), DE (European patent), FR (European patent), GB (European patent), IT (European patent), JP, LU (European patent), NL (European patent), SE (European patent), US.</b>
 (60) Parent Application or Grant (63) Related by Continuation <b>US Filed on 331,338 (CIP) 30 March 1989 (30.03.89)</b>  (71) Applicant ( <i>for all designated States except US</i> ): <b>DNA PLANT TECHNOLOGY CORPORATION [US/US]; 6701 San Pablo Avenue, Oakland, CA 94608 (US).</b>			 Published <i>With international search report.</i>

(54) Title: GENETIC ENGINEERING OF NOVEL PLANT PHENOTYPES

(57) Abstract

Methods are provided for producing plants exhibiting one or more desired phenotypic traits. In particular, transgenotes are selected that comprise a DNA segment operably linked to a promoter, wherein transcription products of the segment are substantially homologous to corresponding transcripts of endogenous flavonoid biosynthetic pathway genes.

#### **DESIGNATIONS OF "DE"**

Until further notice, any designation of "DE" in any international application whose international filing date is prior to October 3, 1990, shall have effect in the territory of the Federal Republic of Germany with the exception of the territory of the former German Democratic Republic.

#### **FOR THE PURPOSES OF INFORMATION ONLY**

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

AT Austria	ES Spain	MG Madagascar
AU Australia	FI Finland	ML Mali
BB Barbados	FR France	MR Mauritania
BE Belgium	GA Gabon	MW Malawi
BF Burkina Faso	GB United Kingdom	NL Netherlands
BG Bulgaria	HU Hungary	NO Norway
BJ Benin	IT Italy	RO Romania
BR Brazil	JP Japan	SD Sudan
CA Canada	KP Democratic People's Republic of Korea	SE Sweden
CF Central African Republic	KR Republic of Korea	SN Senegal
CG Congo	LJ Liechtenstein	SU Soviet Union
CH Switzerland	LK Sri Lanka	TD Chad
CM Cameroon	LU Luxembourg	TG Togo
DE Germany, Federal Republic of	MC Monaco	US United States of America
DK Denmark		

## GENETIC ENGINEERING OF NOVEL PLANT PHENOTYPES

5

FIELD OF THE INVENTION

This invention relates generally to the use of recombinant DNA methods for genetically altering plants, and more particularly, to improved means for altering color patterns and color intensity of flowers and other plant parts.

10

BACKGROUND OF THE INVENTION

The water soluble pigment flavonoids are significant in their contribution to the coloration and other properties of higher plants. For example, the flavonoids are responsible for most orange, scarlet, crimson, mauve, violet and blue colors, and contribute significantly to yellow, ivory and cream colored flowers. See, Harborne, (1976) Chemistry and Biochemistry of Plant Pigments, 2d ed., Goodwin (Ed.) Acad. Press, London. The most important of the pigment molecules are the anthocyanins, particularly pelargonidin, cyanidin and delphinidin. These are the darker colored pigments responsible for the orange-red, magenta and mauve colors, respectively. The other major flavonoid types, the chalcones, isomeric flavanones, flavones and flavonols are light colored and tend to have relatively smaller effects on intensity or patterns of color.

The functions of these pigments extend well beyond coloration of flowers, however. The pigments also color fruits, leaves and other plant parts, and importantly provide plants with UV protection, as well as protection against herbivores and microbes. Other uses include allelopathy and even some pharmaceutical applications.

The biosynthetic pathways of these various pigments have been extensively studied in many different plant species. The chalcones and aurones are products requiring only the initial biosynthetic enzymes, being direct products

of the earliest precursors. The flavones and flavonols are intermediate, and the anthocyanins are products requiring substantial modifications from the initial precursors. All of these products are dependent upon the activity of the 5 initial enzyme chalcone synthase (CHS), which catalyses the production of chalcone from three molecules of malonyl-Coenzyme A and one molecule of coumaroyl-Coenzyme A.

Essentially, all of these phenotypic traits have naturally evolved coordinately with constraints related to 10 plant reproduction. For example, the appearance of a flower has generally resulted from the requirement to attract insects who assist in the pollination process essential for the sexual reproduction of the higher plants. Of course, the decorative and ornamental features impart to flowers a 15 significant commercial value.

Mankind has traditionally intervened in some of the natural processes by, e.g., simply selecting particular flower colors and patterns which might otherwise not have survived in nature. Breeders routinely generate new and 20 unusual flower phenotypes by a variety of time-tested breeding methods. The classical techniques for breeding improved plants, such as different flower varieties with altered flower color intensities or color patterns, typically required natural genetic variability within the experimental 25 gene pool of the species and its relatives. More recently, the generation of variability by induction of mutations has been utilized. Breeders then select among the resulting population those products exhibiting interesting phenotypes, for further characterization.

Unfortunately, the induction of mutations to 30 generate diversity often involves chemical mutagenesis, radiation mutagenesis, tissue culture techniques, or mutagenic genetic stocks. These methods provide means for increasing genetic variability in the desired genes, but 35 frequently produce deleterious mutations in many other genes. These other traits may be removed, in some instances, by further genetic manipulation (e.g., backcrossing), but such

work is generally both expensive and time consuming. For example, in the flower business, the properties of stem strength and length, disease resistance and maintaining quality are important, but often initially compromised in the 5 mutagenesis process.

The advent of recombinant DNA technology has provided horticulturists with additional means of modifying plant genomes. While certainly practical in some areas, to date genetic engineering methods have had limited success in 10 modifying the flavonoid biosynthetic pathway. Recently, the inhibition of flower pigmentation with a constitutively expressed "anti-sense" chalcone synthase gene has been reported (Van der Krol et al., (1988) Nature 333:866-869).

Thus, there exists a need for improved methods for 15 producing plants with desired phenotypic traits. In particular, these methods should provide general means for phenotypic modification, and may lessen or eliminate entirely the necessity for performing expensive and time-consuming backcrossing.

20

#### SUMMARY OF THE INVENTION

In accordance with the present invention, methods are provided for producing plants exhibiting one or more desired phenotypic traits. The invention is based in-part on 25 the surprising discovery that plants exhibiting the desired trait(s) can be selected from transgenotes comprising a DNA segment operably linked to a promoter, wherein transcription products of the segment are substantially homologous to corresponding transcripts of endogenous flavonoid biosynthetic pathway genes. The transgenotes are grown into 30 plants, such as flowering plants capable of exhibiting novel traits, including a reduction in color intensity, an altered pattern color, or a change in basic color of the plant flowers or other plant organs.

35 The invention further embraces the introduction of one or more flavonoid biosynthetic pathway gene regions, under the control of promoter regions (either native or

heterologous), into dicots and other plants in which the gene is endogenous. In particular, the invention comprises plants, such as those of the genera Petunia and Chrysanthemum, wherein the plant is grown from a cell 5 transformed with a sequence which is transcribed into an RNA sequence substantially homologous (other than anti-sense) to a desired flavonoid biosynthetic pathway gene. DNA or RNA equivalents are introduced into plants in a way to produce more of the endogenous (already present) transcript, but not 10 to produce solely an anti-sense transcript. This is accomplished by using a DNA segment (natural or constructed) in which the promoter is positioned in the normal orientation at the 5' end of the encoding region so that a "sense" transcript (rather than antisense transcript) can be 15 produced. The plant cells can be transformed with a variety of vectors, such as viral vectors, episomal vectors, shuttle vectors, Ti plasmid vectors and the like.

The invention also embraces methods for reducing expression of endogenous nucleic acid sequences coding for 20 proteins acting in a flavonoid biosynthetic pathway of a plant, the method comprising the step of introducing into a cell of the plant a DNA sequence substantially homologous to the endogenous sequence and under the operational control of a promoter sequence, such as a cauliflower mosaic virus 25 sequence. The DNA segment typically comprises at least about 50 nucleotides and may be a full length gene, such as a chalcone synthase coding sequence. In addition, the invention comprises the methods of preparing and using the various DNA constructs of the present invention.

30

BRIEF DESCRIPTION OF THE FIGURES

Figure 1 shows the construction of exemplary plasmids of the present invention.

DETAILED DESCRIPTION

The present invention provides novel methods for producing plants, and embraces the plants so produced, and methods of their use. The invention is based in part on the discovery that a reduction in expression (i.e., repression) of a cellular gene product may be attained upon introduction into the cell of a flavonoid biosynthetic pathway nucleic acid fragment that is ultimately transcribed to yield a mRNA transcript substantially homologous to a portion of the gene's transcript. The duplicated transcript is preferably produced prior to the native transcript, but may be produced simultaneously with the native transcript as well. Depending on the time and amount of transcript produced in a transgenote, a plant grown from it will exhibit a variety of different phenotypic traits. In particular, selecting plants with varying color patterns and intensity, typically without harming other desirable plant characteristics, can be readily achieved in accordance with the present invention.

By way of example, and not limitation, an exemplary preferred embodiment of the present invention entails introducing a full-length chalcone synthase (CHS) coding sequence operably linked to a cauliflower mosaic virus promoter into Petunia hybrida cells. These transgenotes are grown into plants and variations in flower coloration are selected. The modified flowers exhibit substantially all of the characteristics of the native Petunia hybrida plants. Those skilled in the art will readily appreciate that other traits, other plant nucleic acid sequences and the like may be readily substituted in accordance with the following guidelines.

Traits

A variety of traits are selectable with appropriate procedures and sufficient numbers of transgenotes. Such traits include, but are not limited to, visible traits, environmental or stress related traits, disease related traits, and ripening traits. Among the easiest to select are

the flavonoid genes, giving rise to visible traits. In particular, the traits of color intensity, color hue and color pattern are subject to the repression effect.

The class of genes within the flavonoid biosynthetic pathway includes those nucleic acid sequences directly involved in reactions or control of reactions which synthesize or modify a flavonoid compound. Flavonoids are a class of compounds, numbering about 3000 whose functions in plants include coloration in flowers, fruits, leaves, and other organs. Examples of flavonoid biosynthetic genes include those for chalcone synthases, chalcone isomerase (CHI), flavanone 3-hydroxylases, dihydroflavonol reductases, flavanone 2-hydroxylases, dihydroflavanol 2-hydroxylases, flavonoid 3'-hydroxylases, flavonoid 5'-hydroxylases, flavonoid glycosyltransferases (including glucosyl transferases such as UDPG: flavonoid 3-O-glucosyl transferase and UDPG: flavonol 7-O-glucosyl transferase, and rhamnosyl transferases), flavonoid methyltransferases (such as SAM:anthocyanidin 3-(p-coumaroyl)-rutinoside-5-glucoside 3',5'-O-methyltransferase) and flavonoid acyltransferases. See, Hahlbrock (1981) Biochemistry of Plants, Vol.7, Conn (Ed.); Weiring and de Vlaming (1984) "Petunia", K.C. Sink (Ed.), Springer-Verlag, New York.

Anthocyanin pigmented flowers have colors throughout the range orange to red to purple to blue. Chalcones and aurones are yellow or orange. Flavones and flavonols are very light yellow, or "cream" colored. Flavanones are colorless. Elimination of anthocyanins and diversion of the pathway to flavone or flavonol production would create cream colored flowers. Shifts from blue to purple or purple to red or red to orange can be engineered by interfering with 3' or 5' hydroxylases or 2-hydroxylases. Interference with 2-hydroxylases can also reduce color intensity of anthocyanin pigmented plants. Interference with CHS would create white flowers and with chalcone isomerase would create yellow flowers. A wide variety of bi-color patterns can be created, the two colors being the color of

the target plant before engineering and the color resulting from the expression of the introduced flavonoid gene. Types of patterns include: radial star-like patterns; picotee (white outer edge); white annular center; concentric colored 5 rings; erratic, irregular patterns, e.g., variegated or blotchy. There are many variations on these patterns, some more attractive than others, some with sharp boundaries between colors, some with diffuse boundaries, some with linear boundaries, some with wavy, curved boundaries. Also 10 lighter, solid colors are observed.

Suitable sources for flavonoid gene sequences usable in accordance with the present invention are plants, in particular higher plants, virtually all of which normally possess a flavonoid biosynthetic pathway of some type. Any 15 flavonoid pathway which generates naringenin chalcone or compounds generated from naringenin chalcone which itself is generated from coumaroyl-Coenzyme A and malonyl-Coenzyme A by chalcone synthase will be appropriate.

20 Introduced Nucleic Acid Sequences

The properties of the nucleic acid sequences are varied, and the preferred embodiments will describe a number of features which the person of skill in the art may recognize as not being absolutely essential, but clearly 25 advantageous. These include isolation methods of the particular sequence to be introduced, certain features of the sequence and certain features of the associated vector, if any. Transcriptional expression of the introduced gene is important, and --without intending to be limited to a 30 particular mechanism-- additional production of a transcript relative to the normal expression of the endogenous form of the sequence is likely part of the underlying mechanism, especially prior to attainment of peak levels of endogenous gene expression.

35 RNA resulting from transcription shall be referred to herein on occasion as "transcript" or "mRNA". Typically, transcript which is processed (e.g., introns removed and 3'

end polyadenylated) is referred to as mRNA ("messenger"). As used herein "homologous" means corresponding to (the same as). RNA which is homologous to a gene, is RNA which corresponds to the template sequence (with the normal exception of uracil for RNA in place of thymidine for DNA). Thus, cellularly produced "homologous RNA", as used herein, is not complementary to the template DNA strand of the gene.

Expression of an endogenous gene, e.g., a gene in the flavonoid pathway, yields varying levels of transcript depending on the type of cell and its developmental stage. During flower development, certain cells, e.g., cells that give rise to petal epidermal tissue, produce or begin to produce a transcript at a level which rises at or subsequent to flower meristem initiation. The transcript level reaches a peak later in flower development and eventually decreases. This rise and fall of transcript level may occur over a series of days, e.g., 7-14 days. The rise may also occur rapidly, e.g., over a period of hours, especially in the event of induction such as by UV or visible light (see, Mol et al., (1983) Mol. Gen. Genet. 192:424-429, which is incorporated herein by reference), particularly under natural summer light conditions (or the artificial equivalent thereof). For example, the transcript level is usually decreasing at the mature flower stage (flower maturation).

The proposed mechanism of repression would require that some transcription of the introduced sequence be produced. Specifically, however, observed genes' endogenous transcription levels dropped about 50-fold in comparison to native conditions. The introduced genes' transcript levels were also low with respect to the endogenous genes' levels, but the total was also lower. While the introduced sequence need not necessarily correspond to the final translated message or a part thereof, there are corresponding forms of the mRNA which are functional in repression, but still contain parts of introns or only non-translated segments of the primary transcript of the normal endogenous sequence. Thus, the effect may occur where the introduced sequence

contains no coding sequence per se, but only intron or untranslated sequences homologous to sequences present in the primary transcript of the endogenous sequence.

The introduced sequence generally will be substantially homologous to the endogenous sequence intended to be repressed, such that the controlling elements recognize that the introduced sequence is present, the interaction results in the repressive effect. This minimal homology will typically be greater than about 65%, but a higher homology might exert a more effective repression of expression of the endogenous sequences. Substantially greater homology, or more than about 80% is preferred, though about 95% to absolute identity would be most preferred. Consequently, the effect should apply to any other proteins within a similar family of genes exhibiting homology or substantial homology. For example, the chalcone synthase protein may be encoded by one or more homologous genes which comprise the chalcone synthase gene family, and repression of one member of the family will typically serve to impose the same repressive effect on others of the family. Similarly, for example, chalcone synthase genes from other plant species may be utilized.

The introduced sequence, needing less than absolute homology, also need not be full length, relative to either the primary transcription product or fully processed mRNA. A higher homology in a shorter than full length sequence compensates for a longer less homologous sequence. Furthermore, the introduced sequence need not have the same intron or exon pattern, and homology of non-coding segments will be equally effective. Normally, a sequence of greater than 50-100 nucleotides should be used, though a sequence of greater than about 200-300 nucleotides would be preferred, and a sequence of greater than 500-1000 nucleotides would be especially preferred. However, an introduced sequence identical to the endogenous genomic sequence will be most preferred.

It should be noted that since a full length coding sequence is unnecessary, it is possible to produce the same effect on multiple proteins using a single transformation by fusing multiple sequences together to coordinately repress various different genes. Assuming a sufficient number of introductions are made, the introduced sequence need not be linked to an operative promoter sequence. However, a promoter sequence would be preferred, particularly a partially or fully constitutive promoter. "Operably linked" refers to functional linkage between the affecting sequence (such as a promoter or 3' segments) and the controlled nucleic acid sequence. The same effect would be produced by the introduction of a promoter operably linked to the coding strand of an endogenous sequence. This can be effected by either the introduction of a promoter alone to a site operably linked to the target sequence, or by the reintroduction of a sequence of endogenous origin recombinantly attached to an operably linked promoter (resulting in a chimeric gene).

A heterologous sequence is one that originates from a foreign species, or, if from the same species, is substantially modified from its original form.

In considering the expected temporal stage of expression of the introduced gene, relevant factors include the type of promoter, the temporal pattern of the promoter, and the operation of the promoter in view of its position within the genome. A promoter which is expressed concurrently with or prior to the normal activation of the homologous endogenous sequence is preferred. A constitutive promoter is most preferred, such as the cauliflower mosaic virus promoter. This promoter is constitutive because its operation is relatively independent of the developmental stage of the cell in which it is contained. A regulated promoter, such as ones associated with the ribulose-1,5-bisphosphate carboxylase, the chlorophyll binding proteins or the glycine-rich root protein genes are also suitable. This control may be either temporal with respect to the

developmental stage of the cell, or based upon differential expression by different parts or organs of the plant.

As referred to above, the operation of a promoter may vary depending on its location in the genome. Thus, a 5 regulated promoter may operate differently from how it does in its normal location, e.g., it may become fully or partially constitutive.

It is preferred to have the DNA sequence linked to and situated at a distance from the promoter corresponding to 10 the distance at which the promoter is normally most effective so as to ensure sufficient transcriptional activity. This distance should be within about 1000 nucleotides, preferably within about 500 nucleotides and optimally within 300 nucleotides of the translation initiation codon.

15 At the 3' end of the coding sequence, operably linked segments may also be included. Thus, it would be optimum to have a 3' untranslated region containing the polyadenylation site and any relevant transcription termination sites. A 3' sequence of less than about 1000 20 nucleotides is sufficient, about 500 preferred and about 300, or the length of the 3' untranslated tail of the endogenous sequence is be optimum.

If the introduced gene is an intact gene from the target plant or other plant species (meaning a complete gene 25 containing coding sequences, intron, promoter, enhancers and other cis-acting regulatory elements either upstream (5') or downstream (3') of the coding sequences), a fraction of independent transgenotes, depending on the gene, may carry the introduced gene in locations that result in abnormal 30 expression, i.e., expression at abnormal times in development. If the introduced gene is a chimeric gene (meaning that one or more elements, such as a promoter, from another gene has been substituted for a component of the intact gene or added to the intact gene, including coding 35 sequences fused to upstream and downstream sequences necessary or beneficial for expression) and is driven by a constitutive (fully or partially) promoter, then abnormal

levels and times of expression will be achieved in a large fraction of transgenotes. If the introduced gene is a chimeric gene and is driven by a developmentally regulated promoter, depending on the promoter, some fraction of 5 transgenotes will show abnormal levels and times of expression of the introduced gene. The strength of the promoter or other cis element can be the same, lower, or higher than the coding sequence's usual promoter. The timing in development can be earlier or the same.

10 While many of these improvements suggested are not essential, the efficiency of production of useful transgenotes may be significantly affected. Some of the transgenotes may be identical to the parental plants, others may have reduced amounts of colored or colorless flavonoids 15 throughout the petals or other organs of interest. Others may have reduced amounts of flavonoids in certain cells or patches of cells or segments of petals or other organs resulting in regular or irregular patterns. Flowers on the same plant may even have different patterns. The likelihood 20 of obtaining a desirable transgenote will depend upon the number of transgenotes screened and the efficiency of actual transformation and expression of the foreign nucleic acid sequence.

The choice of nucleic acid to exert the described 25 repressive effect is broad. Assuming appropriate selection procedures and sufficient numbers of transgenotes, a wide variety of plant genes could display this effect, particularly genes associated with plant pigmentation. Among the plant pigmentation genes are the flavonoid genes, and 30 most particularly the chalcone synthase gene sequence.

Flavonoid gene sequences may be isolated by standard procedures of hybridization of genomic or cDNA 35 libraries by the methods described in Maniatis et al. (see below). Screening may be by (1) nucleic acid hybridization using homologous genes from other organisms, (2) probes synthetically produced to hybridize to particular sequences

coding for known protein sequences, or (3) DNA sequencing and comparison to known sequences.

Flavonoid genes may be enriched in libraries by differential hybridization which requires that the mRNA of 5 the target genes be expressed more abundantly in one tissue than in another. Labelled RNA or cDNA from each tissue is hybridized to replicas of the library and tissue specific clones are identified and isolated. Screening can then be used to identify the target gene among the set of tissue 10 specific genes (Kreuzaler et al., (1983) Proc. Natl. Acad. Sci. USA 80:2591-2593).

Antibody screening of expression libraries with antibodies made against homologous proteins can select 15 nucleic acid sequences which would code for homologous functions. Selection of sequences homologous to a known flavonoid biosynthetic pathway protein will enable isolation of other forms or equivalent forms from different sources.

Transposon tagging of a flavonoid gene can assist 20 in the isolation of the relevant gene. Transposon tagging involves a mutation of the target gene. A mutation is isolated in which a transposon has inserted into the target gene and altered the resulting phenotype. Using a probe for the transposon, the mutant gene can be isolated. Then, using 25 the DNA adjacent to the transposon in the isolated mutant gene as a probe, the normal wild type allele of the target gene can be isolated (McLaughlin and Walbot (1987) Genetics 117:771-776; Dooner et al., (1985) Mol. Gen. Genetics 200:240-246; and Federoff et al., (1984) Proc. Natl. Acad. Sci. USA 81:3825-3829).

30 However, as indicated above, the homology between the inserted gene and the endogenous gene need not be absolutely identical. Foreign homologous genes would also be subject to this same repression phenomenon.

35 Target Plants

As used herein, "plant" refers to either a whole plant, a plant part, a plant cell, or a group of plant cells.

The class of plants which can be used in the method of the invention is generally as broad as the class of higher plants amenable to transformation techniques, including both monocotyledonous and dicotyledonous plants. It includes 5 plants of a variety of ploidy levels, including polyploid, diploid and haploid.

The invention has particular application to plants which express the flavonoid pathway genes. At least some of the flavonoid pathway genes are essentially ubiquitous in 10 higher plants; their products are found in flowers or other plant organs (such as leaves, stems, roots, tubers, bracts, sepals, fruits, vegetables) which are colored. These colors are provided largely by anthocyanin pigments, other flavonoid pigments, copigments, or colorless flavonoids synthesized 15 from chalcone by the plant. See Hahlbrock, supra; Harborne, (1986) Plant Flavonoids in Biology and Medicine: Biochemical Pharmacological and Structure Activity Relationships; Harborne, (1976) Chemistry and Biochemistry of Plant Pigments, (2d ed.) Vol. 1, Goodwin (Ed.) Acad. Press.

20 Fruit (e.g., apples, cherries, plums, grapes), vegetable (e.g., eggplant, peppers, kale, lettuce, radishes, cauliflower) or other edible plant part (e.g., potato) colors are also subject to manipulation using these techniques. Flower colors, of course, are commonly very dependent on the 25 activity of the flavonoid pathway genes, and thus are especially sensitive to the absolute and relative levels of expression of the flavonoid biosynthetic pathway genes. Ornamental plants and flowers are valuable commercially, and thus are typical targets of the methods herein described. 30 Creation and selection of new coloration schemes are particularly valuable in the ornamental flower bearing plants such as chrysanthemums, carnations, roses, gerberas, lilies, geraniums, poinsettias and petunias.

35 Transformation

The transformation of plants in accordance with the invention may be carried out in essentially any of the

various ways known to those skilled in the art of plant molecular biology. See, in general, Methods in Enzymology Vol. 153 ("Recombinant DNA Part D") 1987, Wu and Grossman Eds., Academic Press, incorporated herein by reference. As used herein, the term transformation means alteration of the genotype of a host plant by the introduction of a nucleic acid sequence. The nucleic acid sequence need not necessarily originate from a different source, but it will, at some point, have been external to the cell into which it is to be introduced.

In one embodiment, the foreign nucleic acid is mechanically transferred by microinjection directly into plant cells by use of micropipettes. Alternatively, the foreign nucleic acid may be transferred into the plant cell by using polyethylene glycol. This forms a precipitation complex with the genetic material that is taken up by the cell (Paszkowski et al., (1984) EMBO J. 3:2717-22).

In another embodiment of this invention, the introduced gene may be introduced into the plant cells by electroporation (Fromm et al., (1985) "Expression of Genes Transferred into Monocot and Dicot Plant Cells by Electroporation," Proc. Natl Acad. Sci. USA 82:5824). In this technique, plant protoplasts are electroporated in the presence of plasmids or nucleic acids containing the relevant genetic construct. Electrical impulses of high field strength reversibly permeabilize biomembranes allowing the introduction of the plasmids. Electroporated plant protoplasts reform the cell wall, divide, and form a plant callus. Selection of the transformed plant cells with the transformed gene can be accomplished using phenotypic markers.

Cauliflower mosaic virus (CaMV) may also be used as a vector for introducing the foreign nucleic acid into plant cells (Hohn et al., (1982) "Molecular Biology of Plant Tumors," Academic Press, New York, pp.549-560; Howell, United States Patent No. 4,407,956). The entire CaMV viral DNA genome is inserted into a parent bacterial plasmid

creating a recombinant DNA molecule which can be propagated in bacteria. After cloning, the recombinant plasmid again may be cloned and further modified by introduction of the desired DNA sequence into the unique restriction site of the 5 linker. The modified viral portion of the recombinant plasmid is then excised from the parent bacterial plasmid, and used to inoculate the plant cells or plants.

Another method of introduction of nucleic acid segments is high velocity ballistic penetration by small 10 particles with the nucleic acid either within the matrix of small beads or particles, or on the surface (Klein et al., (1987) Nature 327:70-73).

A preferred method of introducing the nucleic acid segments into plant cells is to infect a plant cell, an 15 explant, a meristem or a seed with Agrobacterium tumefaciens transformed with the segment. Under appropriate conditions known in the art, the transformed plant cells are grown to form shoots, roots, and develop further into plants. The nucleic acid segments can be introduced into appropriate 20 plant cells, for example, by means of the Ti plasmid of Agrobacterium tumefaciens. The Ti plasmid is transmitted to plant cells upon infection by Agrobacterium tumefaciens, and is stably integrated into the plant genome (Horsch et al., (1984) "Inheritance of Functional Foreign Genes in Plants," 25 Science, 233:496-498; Fraley et al., (1983) Proc. Natl. Acad. Sci. USA 80:4803).

Ti plasmids contain two regions essential for the production of transformed cells. One of these, named 30 transfer DNA (T DNA), induces tumor formation. The other, termed virulent region, is essential for the introduction of the T DNA into plants. The transfer DNA region, which transfers to the plant genome, can be increased in size by the insertion of the foreign nucleic acid sequence without its transferring ability being affected. By removing the 35 tumor-causing genes so that they no longer interfere, the modified Ti plasmid can then be used as a vector for the

transfer of the gene constructs of the invention into an appropriate plant cell, such being a "disabled Ti vector".

All plant cells which can be transformed by Agrobacterium and whole plants regenerated from the 5 transformed cells can also be transformed according to the invention so as to produce transformed whole plants which contain the transferred foreign nucleic acid sequence.

There are presently at least three different ways to transform plant cells with Agrobacterium:

10 (1) co-cultivation of Agrobacterium with cultured isolated protoplasts,

(2) transformation of cells or tissues with Agrobacterium, or

15 (3) transformation of seeds, apices or meristems with Agrobacterium.

Method (1) requires an established culture system that allows culturing protoplasts and plant regeneration from cultured protoplasts.

20 Method (2) requires (a) that the plant cells or tissues can be transformed by Agrobacterium and (b) that the transformed cells or tissues can be induced to regenerate into whole plants.

Method (3) requires micropropagation.

25 In the binary system, to have infection, two plasmids are needed: a T-DNA containing plasmid and a vir plasmid. Any one of a number of T-DNA containing plasmids can be used, the only requirement is that one be able to select independently for each of the two plasmids.

30 After transformation of the plant cell or plant, those plant cells or plants transformed by the Ti plasmid so that the desired DNA segment is integrated can be selected by an appropriate phenotypic marker. These phenotypic markers include, but are not limited to, antibiotic resistance, herbicide resistance or visual observation. Other phenotypic 35 markers are known in the art and may be used in this invention.

All plants from which protoplasts can be isolated and cultured to give whole regenerated plants can be transformed by the present invention so that whole plants are recovered which contain the transferred foreign gene. Some 5 suitable plants include, for example, species from the genera Fragaria, Lotus, Medicago, Onobrychis, Trifolium, Trigonella, Vigna, Citrus, Linum, Geranium, Manihot, Daucus, Arabidopsis, Brassica, Raphanus, Sinapis, Atropa, Capsicum, Hyoscyamus, Lycopersicon, Nicotiana, Solanum, Petunia, Digitalis, 10 Majorana, Cichorium, Helianthus, Lactuca, Bromus, Asparagus, Antirrhinum, Hererocallis, Nemesia, Pelargonium, Panicum, Pennisetum, Ranunculus, Senecio, Salpiglossis, Cucumis, Browalia, Glycine, Lolium, Zea, Triticum, Sorghum, and Datura. 15 It is known that practically all plants can be regenerated from cultured cells or tissues, including but not limited to all major cereal crop species, sugarcane, sugar beet, cotton, fruit and other trees, legumes and vegetables. Limited knowledge presently exists on whether all of these 20 plants can be transformed by Agrobacterium. Species which are a natural plant host for Agrobacterium may be transformable in vitro. Although monocotyledonous plants, and in particular, cereals and grasses, are not natural hosts to Agrobacterium, work to transform them using Agrobacterium 25 has also been carried out (Hooykas-Van Slogteren et al., (1984) Nature 311:763-764). Additional plant genera that may be transformed by Agrobacterium include Chrysanthemum, Dianthus, Gerbera, Euphorbia, Pelargonium, Ipomoea, Passiflora, Cyclamen, Malus, Prunus, Rosa, Rubus, Populus, 30 Santalum, Allium, Lilium, Narcissus, Ananas, Arachis, Phaseolus and Pisum.

#### Regeneration

Normally, regeneration will be involved in 35 obtaining a whole plant from the transformation process. The term "transgenote" refers to the immediate product of the

transformation process and to resultant whole transgenic plants.

The term "regeneration" as used herein, means growing a whole plant from a plant cell, a group of plant 5 cells, a plant part or a plant piece (e.g. from a protoplast, callus, or tissue part).

Plant regeneration from cultural protoplasts is described in Evans et al., "Protoplasts Isolation and Culture," Handbook of Plant Cell Cultures 1:124-176 10 (MacMillan Publishing Co. New York 1983); M.R. Davey, "Recent Developments in the Culture and Regeneration of Plant Protoplasts," Protoplasts, (1983) - Lecture Proceedings, pp.12-29, (Birkhauser, Basal 1983); P.J. Dale, "Protoplast Culture and Plant Regeneration of Cereals and Other 15 Recalcitrant Crops," Protoplasts (1983) - Lecture Proceedings, pp. 31-41, (Birkhauser, Basel 1983); and H. Binding, "Regeneration of Plants," Plant Protoplasts, pp.21-73, (CRC Press, Boca Raton 1985).

Regeneration from protoplasts varies from species 20 to species of plants, but generally a suspension of transformed protoplasts containing copies of the exogenous sequence is first made. In certain species embryo formation can then be induced from the protoplast suspension, to the stage of ripening and germination as natural embryos. The 25 culture media will generally contain various amino acids and hormones, such as auxin and cytokinins. It is sometimes advantageous to add glutamic acid and proline to the medium, especially for such species as corn and alfalfa. Shoots and roots normally develop simultaneously. Efficient 30 regeneration will depend on the medium, on the genotype, and on the history of the culture. If these three variables are controlled, then regeneration is fully reproducible and repeatable.

Regeneration also occurs from plant callus, 35 explants, organs or parts. Transformation can be performed in the context of organ or plant part regeneration. See, Methods in Enzymology, supra; also Methods in Enzymology,

Vol. 118; and Klee et al., (1987) Annual Review of Plant Physiology, 38:467-486.

In vegetatively propagated crops, the mature transgenic plants are propagated by the taking of cuttings or 5 by tissue culture techniques to produce multiple identical plants for trialling, such as testing for production characteristics. Selection of desirable transgenotes is made and new varieties are obtained thereby, and propagated vegetatively for commercial sale.

10 In seed propagated crops, the mature transgenic plants are self crossed to produce a homozygous inbred plant. The inbred plant produces seed containing the gene for the newly introduced foreign gene activity level. These seeds can be grown to produce plants that would produce the 15 selected phenotype.

The inbreds according to this invention can be used to develop new hybrids. In this method a selected inbred line is crossed with another inbred line to produce the hybrid.

20 Parts obtained from the regenerated plant, such as flowers, seeds, leaves, branches, fruit, and the like are covered by the invention, provided that these parts comprise cells which have been so transformed. Progeny and variants, and mutants of the regenerated plants are also included 25 within the scope of this invention, provided that these parts comprise the introduced DNA sequences. Progeny and variants, and mutants of the regenerated plants are also included within the scope of this invention.

30 Vectors

Selection of an appropriate vector is relatively simple, as the constraints are minimal. The apparent minimal traits of the vector are that the desired nucleic acid sequence be introduced in a relatively intact state. Thus, 35 any vector which will produce a plant carrying the introduced DNA sequence should be sufficient. Also, any vector which will introduce a substantially intact RNA which can

ultimately be converted into a stably maintained DNA sequence should be acceptable.

Even a naked piece of DNA would be expected to be able to confer the properties of this invention, though at 5 low efficiency. The decision as to whether to use a vector, or which vector to use, will be guided by the method of transformation selected.

If naked nucleic acid introduction methods are chosen, then the vector need be no more than the minimal 10 nucleic acid sequences necessary to confer the desired traits, without the need for additional other sequences. Thus, the possible vectors include the Ti plasmid vectors, shuttle vectors designed merely to maximally yield high numbers of copies, episomal vectors containing minimal 15 sequences necessary for ultimate replication once transformation has occurred, and viral vectors, including the possibility of RNA forms of the gene sequences. The selection of vectors and methods to construct them are commonly known to persons of ordinary skill in the art and 20 are described in general technical references (Methods in Enzymology, supra).

However, any additional attached vector sequences which will confer resistance to degradation of the nucleic acid fragment to be introduced, which assists in the process 25 of genomic integration or provides a means to easily select for those cells or plants which are actually, in fact, transformed are advantageous and greatly decrease the difficulty of selecting useable transgenotes.

30 Selection

Selection of transgenotes for further study will typically be based upon a visual assay, such as observing color changes (e.g., a white flower, variable pigment production, and uniform color pattern on flowers or irregular 35 patterns), but may involve biochemical assays of either enzyme activity or product quantitation. Transgenotes will be grown into plants bearing the plant part of interest and

the flavonoid gene activities will be monitored by visual appearance or biochemical assays (Northern blots, see, Maniatis (below); Western blots, see, Ausubel (below); enzyme assays and flavonoid compound assays, including spectroscopy, 5 see, Harborne et al., (Eds.), (1975) The Flavonoids, Vols. 1 and 2, [Acad. Press]). Appropriate plants will be selected and further evaluated.

The following experimental section is offered by way of example and not by limitation.

10

#### EXPERIMENTAL

In general, preparation of plasmid DNA, restriction enzyme digestion, agarose gel electrophoresis of DNA, Southern blots, DNA ligation and bacterial transformation 15 were carried out using standard methods. (Maniatis et al., Molecular Cloning, A Laboratory Manual, Cold Spring Harbor Laboratory (1982), referred to herein as "Maniatis" and hereby incorporated by reference.) Western blots and other standard molecular biology techniques are also described in 20 Ausubel et al., (1987) Current Protocols in Molecular Biology, Vols. 1 and 2, and hereby incorporated by reference.

#### Example 1: Plant Transformation Procedures

In Examples 1-4, reagent materials are commercially 25 available, unless otherwise specified. Enzymes used in the cloning procedures are available from commercial sources. All restriction endonuclease reactions are carried out according to manufacturer instructions. Unless otherwise 30 specified, the reaction conditions for other reactions are standard conditions used in the art, as described, for example, in Maniatis. Luria (L) agar and Minimal A (MinA) agar and broth are described in J. H. Miller, Experiments in Molecular Genetics, Cold Spring Harbor Laboratory, New York (1972) (referred to herein as "Miller" and hereby 35 incorporated by reference). Transformations of competent Escherichia coli strain DH-1 were performed according to Maniatis. Plasmid DNA was prepared by alkaline extraction

according to Maniatis (referred to herein as "mini-prep DNA" or "mini-prep technique"). Site specific oligonucleotide mutagenesis was carried out as described in Geisselsoder, et al., (1987) BioTechniques 5:(8), 786-791, except E. coli strain BW313 (dut,ung) was used to produce uracil - containing single stranded DNA, in vitro synthesized double stranded DNA was transformed into E. coli strain DH-1, and the Klenow fragment of DNA polymerase I was used for the second strand synthesis which was incubated overnight at room temperature.

Antibiotics are abbreviated as follows: Ap is ampicillin, Km is kanamycin, Rif is rifampicin and Tc is tetracycline. Micrograms are referred to herein as ug and milliliters are referred to as ml. Microliters are referred to as ul.

Creation of Agrobacterium Tumefaciens LBA4404/p5972  
and p7506

The plasmid pcPE1 was obtained from H. Reif, Max Planck Institut, Koln. This plasmid contained a nearly full length Petunia hybrida chalcone synthase cDNA clone as an EcoRI fragment. The construction strategy that led to the construction of the binary vectors p5972 and p7506 which were used for the reintroduction and expression of this chalcone synthase gene into target plants is shown in Figure 1. The plasmids shown in this strategy are labeled with only the relevant restriction sites used either in the construction procedure or discussed in the text. The plasmid numbers in the middle of the circles in the figure are the actual number designations given to the plasmids in the construction strategy. The plasmid number in the lower bottom of the circles refers to the cloning vector that gave rise to the relevant clones. For example the first plasmid listed in the strategy is pcPE1. This clone resulted from a ligation of an EcoRI fragment into the commercially available cloning vector pUC18, so pcPE1 is listed in the middle of the circle and pUC18 is listed in the bottom. The restriction enzymes

listed by the drawn circles indicate which enzymes were used to digest the plasmids and an arrow indicates that a ligation reaction took place. Antibiotic resistant genes that were used to select the clones are indicated inside the circles.

5       The EcoRI fragment containing the complete coding sequence for chalcone synthase protein was recloned into the EcoRI site of plasmid pUC119 (Viera and Messing, In Methods in Enzymology, 153(2) eds. Wu and Grossman, San Diego, pp.3-11, 1987) by digesting both plasmids with EcoRI, ligation,  
10      and transformation into competent E. coli strain DH-1. A plasmid which contained pUC119 and the EcoRI chalcone synthase fragment was identified by restriction mapping and was designated plasmid p6010. Plasmid p6010 was transformed into competent E. coli strain BW313 and single stranded DNA  
15      containing uracil was isolated (Viera and Messing, *ibid.*). A 26 base synthetic primer composed of the sequence, 5'-  
20      CTTTTTCTAGTTAACCATGGTGACT-3', and a 24 base synthetic primer composed of the sequence, 5'-CTACTTAGTGGATCCGGCTTATAT-3', were synthesized on an Applied Biosystems 381A DNA  
synthesizer using the solid phase phosphotriester method.  
The 26 base primer was used to introduce two new restriction sites, HpaI and NcoI, at the beginning of the coding sequence. The NcoI site overlapped the ATG start codon of  
25      the chalcone synthase and would be used for promoter fusions later in the construction strategy. The 24 base primer was used to introduce a BamHI site that overlapped the TAG translation stop codon and would be used later in the construction strategy to fuse the chalcone synthase gene to a poly-adenylation signal sequence. In vitro synthesized  
30      double stranded DNA (dsDNA) was synthesized using the two primers and transformed into competent E. coli strain DH-1. Ampicillin resistant colonies were screened using mini-prep DNA for new HpaI and NcoI restriction sites that mapped at the beginning of the gene and a BamHI site that mapped at the  
35      end of the gene. The plasmid that fulfilled this and further mapping criteria was designated as plasmid p5571.

The next step in the construction strategy served to fuse a 35S Cauliflower Mosaic Virus (herein called CaMV 35S promoter in the text and p35S in the figure) to the beginning of the chalcone synthase coding sequence and a poly-adenylation signal sequence to the end of the coding sequence. Plasmid pJJ2104 is described in Harpster et al., (1988) Mol. Gen. Genet. 212:182-190, and was used as the source of the CaMV 35S promoter and poly-adenylation signal sequence. This plasmid has a modified CaMV 35S promoter contained within a BglII and NcoI fragment. The CaMV 35S promoter within plasmid pJJ2104 is fused to the untranslated leader sequence of the photosynthetic 22L chlorophyll a/b binding protein (here in called "Cab22L") to increase transcriptional efficiency (see above reference). The poly-adenylation signal sequence is from the nopaline synthase gene (Depicker et al., (1982) Mol. Appl. Genet. 1(6):561-573), and is contained within a BamHI and HindIII fragment in the plasmid pJJ2104.

Plasmid p5571 DNA was isolated and cleaved to completion with BamHI and then cleaved with NcoI under conditions to give a partial, incomplete digestion of the DNA because a second NcoI site lies within the chalcone synthase coding sequence. The DNA was subjected to electrophoresis through 0.5% low melt agarose in standard Tris-Acetate EDTA buffer (described in Maniatis) with ethidium bromide at 0.5 ug/ml incorporated into the agarose. The gel was examined briefly under medium length ultraviolet light using a transilluminator (wave length 312 nm) and a band corresponding to the length (approximately 1200 base pairs) of the chalcone synthase coding sequence was excised from the gel. The gel fragment was weighed to determine the volume and brought to 0.3 M sodium acetate. The equilibrated agarose was heated to 65 degrees for the 10 minutes and then extracted with an equal volume of phenol saturated with 0.1 M Tris-HCl, pH 8. The aqueous phase was removed and extracted twice with a chloroform-isoamyl alcohol (24:1) mixture and the DNA was then precipitated from the aqueous solution.

(All the above techniques were used according to standard conditions as described in Maniatis.) This eluted fragment was combined with plasmid pJJ2104 which was cleaved to completion with NcoI and BamHI and a ligation reaction was 5 set up and incubated for one hour at room temperature and the reaction products subsequently transformed into competent E. coli strain DH-1. Plasmid DNA was screened with restriction enzymes to identify the appropriate plasmid containing the 10 35S CaMV promoter, the chalcone synthase coding sequence, and the polyadenylation signal sequence. The plasmid p5634 was identified and subjected to restriction digestion to confirm that the plasmid was the correct one.

Two different binary vectors were used in the construction strategy. Plasmids pJJ3942 and pAGS502 are both 15 based on the broad host range cloning vector pRK290 (Ditta et al., (1980) Proc. Natl. Acad. Sci. USA 77:7347-7451) and contain a Neomycin Phosphotransferase II coding sequence fused at the 5' end to a nopaline synthase promoter and at the 3' end to an octopine synthase polyadenylation signal 20 sequence between the left and right TDNA borders (van den Elzen et al., (1985) Plant Mol. Biol. 5:141-154). Plasmid pAGS502 contains a polylinker with cloning sites for BamHI, XbaI, HindIII, XhoI, EcoRI and HpaI for insertion of fragments near the TDNA right border. Plasmid pJJ3942 25 contains HindIII, BamHI, and HpaI as unique cloning sites near the right border. An enhancer-like sequence from the 35S CaMV promoter is contained between the BamHI and HpaI sites. This fragment spans the sequences between positions -45 and -200 of the 35S CaMV promoter to give approximately 30 200 bases of sequence upstream from the TATAA box.

The entire 35S CaMV promoter, the chalcone synthase coding sequence and the nos polyadenylation signal sequence are contained within a BglII and HindIII fragment in plasmid p5634. Plasmid p5634 was digested to completion with BglII 35 and HindIII. Two different binary vectors, pJJ3942 and pAGS502, were digested to completion with BamHI and HindIII and each was used in separate ligation reactions with plasmid

p5634 digested with BglII and HindIII. The 5'-overhangs generated by the enzymes BglII and BamHI can ligated together but not recleaved by either enzyme. The ligation reactions were transformed into competent *E. coli* strain DH-1 and 5 tetracycline resistant colonies were isolated. DNA was isolated using the mini-prep technique and screened with the appropriate restriction enzymes to isolate pJJ3942 and pAGS502 derivative plasmids that accepted the BglII and HindIII fragment. Further restriction digestions were 10 performed to confirm the identity of the resulting plasmids. The ligation product of pJJ3942 containing the insert was designated as plasmid p5972 and the ligation product of pAGS502 containing the insert was named plasmid p7506.

Plasmids p5972 and p7506 were mobilized 15 (transferred) separately to Agrobacterium tumefaciens strain LBA4404 (Ooms et al., (1981) Gene 14:33-50). A triparental mating procedure using *E. coli* strain DH-1 carrying p5972 or p7506 (both tetracycline resistant), *E. coli* HB101 carrying plasmid pRK2013 (kanamycin resistant) (Ditta et al., (1980) 20 Proc. Natl. Acad. Sci. USA 77:7347-7351) and A. tumefaciens strain LBA4404 (rifampicin resistant) was set up. The two *E. coli* strains were grown up overnight on L agar (see Miller) containing the appropriate antibiotics. The A. tumefaciens was grown up overnight in MinA broth (see Miller) with no 25 selection. One ml of the A. tumefaciens culture was pipetted into a sterile microcentrifuge tube and spun in a microcentrifuge for 2 minutes to pellet the cells. The supernatant was removed and 100 ul of fresh MinA broth was added to resuspend the pellet. A small amount of the *E. coli* 30 cells from each of the overnight cultures was scraped off the petri dish and spread together onto a fresh L agar plate (no antibiotics). The amount of area covered by the cells was approximately 2 cm square. Each amount of *E. coli* cells was approximately equal to the amount of A. tumefaciens cells 35 that was collected from 1 ml of culture. The 100 ul of resuspended A. tumefaciens cells was added on top of the

spread E. coli cells and mixed to form a conjugation patch. This petri dish was incubated overnight at room temperature.

On the following day approximately one-fourth of the cells was removed from the conjugation patch and these 5 cells were streaked for single colonies using an L agar plate containing 100 ug/ml rifampicin and 1.2 ug/ml tetracycline. The procedure was repeated four times and resulted in all of the conjugation patch streaked onto four separate plates. These plates were incubated in the dark at room temperature 10 until colonies begin to appear (approximately 3-5 days). Isolated colonies were streaked for single colonies on MinA agar plates containing 1.2 ug/ml tetracycline. The plates were incubated for two days at 28°C. A petri dish containing MinA agar supplemented with 1.2 ug/ml tetracycline was 15 divided into eight equal parts of a circle and eight well isolated single colonies were streaked individually onto sections of the petri dish. This plate was grown up overnight at 28°C. Three-fourths of the cells from each of the eight sections were removed from the agar using a sterile toothpick and the DNA isolated from these cells using the mini-prep technique. Each of the DNAs from these eight preparations was transformed individually into competent E. coli strain DH-1 and tetracycline resistant colonies were 20 isolated. One colony from each E. coli transformation was grown up and the DNA isolated using the mini-prep technique. The DNA was subjected to restriction enzyme analyses to confirm that the DNA was the original binary clone that was transferred to A. tumefaciens LBA4404 via the triparental 25 mating.

30 Plant transformation

Petunia hybrida varieties: Pink Cascade was obtained from Dr. Michael Reid, Dept. of Environmental Horticulture, University of California, Davis; R18 and V26 were obtained from Dr. Anton Gerats, Dept. of Genetics, Free 35 University, Amsterdam. Petunia hybrida plants were grown from surface-sterilized seed on sterile solidified agar medium of 1/10 the concentration of medium MS of Murashige

supplemented with 0.5% sucrose. After germination, seedling tops were excised by cutting in the hypocotyl region and transferred to MS with 3% sucrose. Plants were maintained at 28°C under "cool white" fluorescent light at 4-5000 lux,  
5 16h/day.

About six weeks after planting (day 0), leaves were excised, cut with a scalpel blade into pieces about 5mm square and inoculated with A. tumefaciens that had been grown overnight in MinA medium supplemented to 0.2% glucose (medium  
10 described by J.H. Miller (1972) Experiments in Molecular Genetics, Cold Spring Harbor Laboratory, New York) and adjusted to 0.1-0.2 A<sub>550</sub> units. Inoculated leaf pieces were placed on incubation medium [basal MS medium (MS + 3% sucrose + B5 vitamins) + 75-100uM acetosyringone, 1mg benzyladenine (BA) per liter, and 0.2 mg indoleacetic acid (IAA)/l] for two days in a sterile transfer hood at room temperature (approx 22°C). On day 2, 25-30 ml of liquid basal MS medium + cefotaxime (500 mg/l) was added to the plates. Plates were then swirled at 70-100 rpm for 30-60 min. Leaf pieces were  
20 transferred with the upper epidermis facing up on selection medium (basal MS + BA (1mg/l), IAA 0.2 mg/l, vancomycin (100mg/l)). The plates were sealed with parafilm and incubated at 24°C under moderate light (3000-5000 lux). On day 14, leaf pieces were transferred to fresh selection medium. On day 28, calli were excised from leaf pieces and transferred to fresh selection medium and shoots were excised and transferred to hormoneless medium [basal MS + vancomycin (100mg/l) and kanamycin (100mg/l)]. On day 42 and following, shoots were excised from calli and transferred to hormoneless  
25 medium. After shoot elongation, shoots were excised and dipped in naphthalene acetic acid (NAA) (0.1mg/l) for root development. After rooting, plantlets were transplanted to soil and grown in a greenhouse.  
30

The chimeric CHS gene in p5972 and p7506 was introduced into several varieties of Petunia: (1) a hybrid variety called "Pink Cascade", (2) an inbred, R18, and (3) an inbred, V26. (See, examples 2 - 4)

Example 2: Novel Derivatives of Pink Cascade Petunia

Pink Cascade produces solid pink flowers. Leaf explants from the Pink Cascade variety were transformed with p5972. Six whole plants (CS18201 through 18206) were produced. All had novel flowers. CS18201, 18203, and 18206 gave pure white petal limbs, petal tubes and anthers. CS18202 and 18205 gave flowers with a color pattern: pink wedges at the outer margin of and in the center of petal limbs with the rest of the flower pure white (some flowers on this plant were solid pure white, other flowers had this pattern). CS18204 flowers were a light, blotchy pink.

Progeny of the cross V26 x CS18202 included: 12 plants with the color of V26 x Pink Cascade and 6 plants with novel color patterns similar to the patterns of CS18202, but with smaller pigmented sectors on lower petals than upper petals in some progeny. Thus, the production of novel color patterns by the introduced gene is heritable, but the pattern itself may vary among progeny (because Pink Cascade is a hybrid variety, the progeny are genetically heterogenous).

20

Example 3: Novel Derivatives of the R18 VarietyTransformed with p5972

Variety R18 produces solid, pale pink flowers. Cells from the R18 variety were transformed with p5972 to produce 14 plants. Nine plants produced flowers with the normal light pink color of R18 flowers. The flowers of five plants had novel patterns. One plant gave pink radial stripes on a solid white background. Another gave mainly pure white flowers, but one flower had some pink wedge similar to wedges on CS18202. The third gave occasional white wedges at petal junctions on a solid pink background. The fourth gave a mixture of pure white flowers and pink with white radial striations (a star-like pattern). The last gave white flowers with pink wedges at the outer margins of petals.

Example 4: Novel Derivatives of the V26 Variety  
Transformed with p5972 and p7506

Variety V26 produces solid, deep violet flowers. Cells from the V26 variety were transformed with p5972 to produce 37 plants. Twenty-eight plants produced flowers colored the same as the V26 parent. Seven plants had flowers with novel patterns; two plants produced pure white flowers. Three plants had pigmented wedges at petal margins similar to CS18202. One had mostly pure white flowers, but some flowers had single, small (3mm) white spots. One plant gave flowers having a beautiful "Cossack dancer" pattern, i.e., a modified radial, star-like pattern. Two plants gave flowers with a somewhat irregular, blotchy pattern of white and purple patches; these flowers, though irregular, looked somewhat like the dancer pattern.

Cells from the V26 variety were transformed with p7506 to produce 20 plants. Seventeen plants produced flowers colored the same as the V26 parent. Three plants produced flowers with color patterns. One plant produced flowers with occasional small white spots. One plant produced one flower with a white tube, while the other flowers were similar to the V26 parent. One plant had flowers which exhibited nearly randomly distributed but sharply defined blotches.

Several transgenotes with white or patterned flowers were crossed to V26. The progeny of a white transgenote produced violet and white flowers in approximately a 1:1 ratio, as expected for a single gene. The progeny of plants with patterned flowers were also patterned or sometimes pure white. Not all plants were identical in flower color intensity or pattern. The penetrance of the flower color phenotypes was complete in the progeny populations of some transgenotes and incomplete in others, i.e., the segregation ratio of solid violet to patterned or solid white was significantly greater than 1 (for incomplete penetrance).

ANALYSES ON PETUNIA HYBRIDA TRANSGENIC PLANTS

RNA Analyses: The steady state levels of messenger RNA from both wild type plants (i.e., with an endogenous chalcone synthase gene) and transgenic plants (i.e., with an introduced 35S CaMV driven chalcone synthase gene) were analyzed in petunia petal using RNase protection analyses (protocol is titled RNA Transcription, available from Stratagene, 11099 North Torrey Pines Road, La Jolla, California).

Petals of six different developmental stages were first harvested from V26 petunia plants and from one transgenic V26 which had white flowers (plant #21838). These stages were defined according to total petal length, degree of pigmentation, and morphology:

	<u>Stage</u>	<u>Length</u>	<u>Pigmentation &amp; Morphology</u>
15	1	15mm	no pigmentation (veins only)
	2	30	slight flush of light purple around veins
20	3	40	definite pigmentation from outer surface
	4	53	deeper pigmentation, fully extended, still closed
	5	58	fully pigmented, just starting to open
25	6	nd*	freshly mature, fully expanded

\*nd; not determined

RNA was isolated from the above described developmental stages for both wild type V26 and transgenic plant #21838. One flower of each stage except stage 1 was sufficient tissue for extracting RNA. For stage 1, eight to ten flowers were combined for the procedure. Petal tissue was frozen in liquid nitrogen and ground to a fine powder in liquid nitrogen using a pre-chilled mortar and pestle. The tissue was added to 1 ml phenol saturated with 0.1 M Tris-HCl, pH 7.5 and 4 ml buffer (100 mM NaCl, 10 mM Tris-HCl, pH 7.5, 1 mM EDTA, 1% SDS) and the contents mixed. One ml of chloroform: isoamyl alcohol mixture (24:1) was added and the contents mixed again. The aqueous phase was transferred to a

clean tube and extracted a second time with fresh chloroform: isoamyl alcohol mixture. The aqueous phase was transferred to a clean tube, an equal volume of 4 M lithium acetate was added and the contents of the tube were placed on ice for  
5 three hours. The RNA was pelleted by centrifugation and the supernatant was removed. The pellet was dissolved in sterile water, the solution was brought to 0.3 M sodium acetate and 2.5 volumes of ethanol were added to precipitate the RNA. The RNA pellet was dissolved in 100 ul of sterile water and  
10 the concentration of RNA was determined spectrophotometrically.

Five ug of RNA was used for each protection assay. A 160 nucleotide, radiolabelled anti-sense cab22L-CHS RNA was transcribed in vitro, used as a probe in the protection  
15 assays and annealed to the petal RNAs, all as described in the Stratagene protocol. After incubation with single strand specific ribonucleases RNase A and RNase T1, two different protected fragments will remain, a 94 nucleotide fragment representing the endogenous CHS mRNA and a 160 nucleotide  
20 fragment representing the introduced chalcone synthase transcript.

An autoradiogram of the RNase protection assays for all six stages of wild-type V26 petunia petal RNAs showed that the chalcone synthase protection fragment was most  
25 abundant in stage 3 and stage 4. From this experiment it was determined that the endogenous CHS mRNA is present in petals at all developmental stages examined, gradually increasing in abundance up to stage 4 and then declining to almost undetectable levels in the mature petal.

30 RNase protection assays on transgenic plant #21838 showed that protection fragments for both the endogenous and the introduced chalcone synthase were present. The relative levels of the endogenous chalcone synthase message followed a similar developmental profile as seen for wild-type plants;  
35 however, the overall message levels were substantially reduced, as observed by visual inspection, in each stage from the levels seen in the wild-type V26 plant. In contrast to

the wild type chalcone synthase message, the chalcone synthase message from the introduced 35S CaMV promoter was present at a fairly constant low level throughout each developmental time point. This result demonstrates that the 5 introduced CHS gene had the effect of vastly depressing the steady state level of endogenous CHS mRNA.

Protein Analyses

Antibodies were raised in a rabbit against chalcone 10 synthase by injecting the rabbit with a fusion protein made in E. coli. This fusion protein consisted of wild type beta-galactosidase gene with the entire coding sequence of chalcone synthase ligated in-frame to the 3' end of beta-galactosidase (Ruther and Müller-Hill (1983) EMBO J. 15 2:(10):1791-1794). Immune antiserum from the rabbit was used in Western analyses to evaluate wild-type and transformed petunia petals. Western analysis were carried out according to manufacturer's instructions using the Proto Blot system from Promega Biotec; but similar techniques are described in 20 Ausubel et al., (supra).

Protein extracts were prepared from purple and white segregants (described above). The same developmental stages as described above were used. Petal tissue was frozen in liquid nitrogen and then ground to a fine powder 25 using a mortar and pestle. The frozen powder was transferred to a glass tissue homogenizer and extraction buffer (50 mM sodium phosphate buffer pH 7.0, 1 mM dithiothreitol, 0.1% Triton X-100, 1 mM EDTA) was used to homogenize the tissue. Protease inhibitors were added to final 30 concentrations of 1 mM phenylmethysulfonyl fluoride and 0.2 mM Leupeptin. Cell debris was removed by centrifugation and the protein content of the supernatant was determined using the Bradford assay (Bradford (1976) Anal. Biochem. 72:248-254). Seventeen ug of protein for each sample was loaded 35 onto an 8% polyacrylamide SDS gel.

Western analysis of purple flowered progeny showed that CHS protein was present in the petal extract of all

developmental stages. The amount of CHS protein appeared to be the same for stages 1 and 2, increased in stage 3, stayed approximately the same for stages 3, 4 and 5 and decreased slightly for stage 6. Western analysis of white flowered  
5 progeny showed that, in comparison to the purple flowered progeny, barely detectable CHS protein was seen in stage 1 and appeared to be more reduced in stages 2, 3, 4, 5 and 6. These analyses showed that while CHS protein could be easily detected in protein extracts from purple flowered progeny, in  
10 protein extracts of white flowered progeny CHS protein was reduced to levels where it was barely detectable.

TLC Analysis of Flavonoids

Thin layer chromatography (TLC) was done to compare flavonoid synthesis in white versus purple flowers from progeny of the cross #21838 x V26. Mitchell petunia flowers 5 were used as a negative control for anthocyanin synthesis and a positive control for flavonoid synthesis. Flowers of three different lengths were used as follows: Mitchell (33mm, 43mm, 65mm), purple (33mm, 42mm, 55mm) and white (35mm, 49mm, 57mm). The tubes were assayed separately from the limbs. 10 Tissue was added to 1.0 ml of 2 N HCl, allowed to stand for 2 hours at room temperature and then hydrolyzed for 20 minutes at 100°C. The supernatant was transferred to a clean tube and 200 ul of isoamyl alcohol was added. The samples were vortexed for at least five seconds and the two phases allowed 15 to separate. Samples were spotted onto a cellulose TLC plate in four separate applications with drying between applications. Two identical plates were set up and run in two different solvent systems; acetic acid/36% HCl/water (30:3:10) and isopropanol/2N HCl (1:1). The two systems 20 discriminate between the anthocyanins. The purple progeny flowers produced both anthocyanins and flavonols. The Mitchell flowers produced flavonols and little or no anthocyanins. The white progeny flowers produced little or 25 no anthocyanins and little or no flavonols of the type produced by the normal purple flowers.

Example 5: Genomic Chalcone Synthase (CHS)

Experimental procedures in Examples 5 and 6 were performed at Vrije Universiteit according to the teachings of 30 the present invention (see, van der Krol, Mur, Beld, Mol and Stuitje, "Flavonoid Genes in Petunia hybrida: Addition of a limited number of gene copies may lead to a collapse in gene expression," Vol. \_\_\_\_ pages \_\_\_\_ (1989)). Unless stated otherwise, standard methods were carried out in accordance 35 with protocols as found in Maniatis and Bernard Perbal (1988), A Practical Guide to Molecular Cloning, John Wiley and Sons, New York.

A. Preparation of Transformants

VIP76 and VIP106 were derived from the Petunia hybrida V30 CHS gene A genomic clone VIP17, as described in Koes et al., (1986) Nucl. Acids Res. 14:5229-5239.

5 Specifically, VIP76 was constructed by cloning a 7.2 kb EcoRI-SalI fragment from VIP17, containing the CHS gene A with a 0.8 kb 5' promoter region, into the EcoRI-SalI site of the binary vector BIN19 (Bevan et al., (1984) Nuc. Acids Res. 12:8711-8721). VIP106 was constructed by cloning a 8.0 kb  
10 Xba I fragment from VIP17, containing the CHS gene A with a 4.5 kb 5' promoter region, into the Xba I site of BIN19.

For transformation of Petunia hybrida VR plants (van der Krol et al., (1988) Nature 333:866-869), the binary vectors with the different gene constructs were mobilized  
15 into Agrobacterium tumefaciens strain LBA 4404 using standard triparental mating techniques (Ditta et al., (1980) Proc. Natl. Acad. Sci. U.S.A. 77:7347-7351). Transformants were obtained through the standard leaf-disc transformation method (Horsch et al., (1985) Science 227:1229-1231). Transformed  
20 Petunia hybrida VR plants were grown in a greenhouse.

B. Description of Transformants

VIP76 contains 0.8 kb of the 5' promoter region of the CHS A gene, 2.5 kb of the CHS A gene exon and intron sequences and 3.9 kb of the CHS A gene 3' flanking DNA.

25 VIP106 contains 4.6 kb of the 5' promoter region of the CHS A gene, 2.5 kb of CHS A gene exon and intron sequences, and 0.5 kb of the CHS A gene 3' flanking DNA. Both genomic CHS clones were introduced into petunia VR plants. Of the twenty plants regenerated which contain VIP106, one plant showed an  
30 evenly reduced pigmentation of the corolla. One of the 15 plants containing the VIP76 construct showed white flowers with small pigmented sections.

C. Messenger RNA Data

RNA was extracted from flowerbuds (stage 1-6 as defined by Koes et al., (1989) Plant Mol. Biol. 12:213-226). To average out small differences in developmental stage of the flowerbuds, five flowerbuds taken from one plant were

pooled per stage. Nucleic acid isolation was performed as described by Koes et al., (1987) Plant Mol. Bio. 10:375-385.

Transcripts from VIP106 and VIP76 contain CHS gene A sequences that derive from the petunia strain V30. They can be distinguished from endogenous petunia VR CHS gene A transcripts by primer extension experiments. Primer extension experiments using <sup>32</sup>P-labelled oligomer EL-4 (5'-dGATCAACACAGTTGTAGG-3') and 5 ug floral RNA (stage 4) were performed by annealing the oligomer and RNA in 10 ul 100 mM Tris HCl, 20 mM MgCl<sub>2</sub>, and 100 mM KCl for 16 hours at 30°C. Then 10 ul of 1 mM dGTP, 1 mM dATP, 1 mM dTTP, 1 mM dCTP containing 5U of reverse transcriptase were added, and the solution was incubated for 30 minutes at 37°C followed by 30 minutes at 43°C. Extension products were recovered by phenol chloroform (1:1) extraction and ethanol precipitation, and then visualized on 6% sequencing gels using sequence ladders of CHS gene A primed with the same oligonucleotide as a marker. Extension of primer EL-4 hybridizing to the first exon of CHS gene A results in one major fragment (176 nucleotides) for V30 CHS gene A mRNA, and two major fragments and one minor fragment for the VR CHS gene A mRNAs (186 and 189 nucleotides and 181 nucleotides respectively). Normal pigmented transformants containing VIP106 and VIP76 have normal expression levels of VR CHS mRNAs in pigmented floral tissue. VIP78 transformant 76-1A, in which flower pigmentation was inhibited, showed a lower than normal level of VR CHS mRNAs.

Example 6: Dihydroflavonol Reductase (DFR)

30 A. Preparation of Transformants

VIP178 was constructed using a 1.3 kb EcoRI DFR cDNA fragment from clone lambda DFR-A1, which was isolated as follows. A lambda gt11 cDNA library, as described in van Tunen et al., (1988), EMBO J. 7:1257-1263, was prepared according to Young and David, (1983) Proc. Natl. Acad. Sci. U.S.A., 80:1194-1198. The library, prepared from corolla tissue of flowerbuds of Petunia hybrida line R27 (Van Tunen

et al., (1988) EMBO J. 7:1257-1263) was screened with a 1.4 kb EcoRI/BamHI fragment of the pallida gene (Martin et al., (1985) EMBO J. 4:1625-1630). Fourteen clones hybridizing to this probe were purified. Thirteen of these contained an 5 insert of nearly the same size (1.5 kb), whereas one clone contained an insert of around 1.6 kb. Sequence analysis of the 5' and 3' ends of both types of clones revealed that the smaller cDNA insert (lambda DFR-A1) was nearly full-length, whereas the larger cDNA insert had an extended 3' region and 10 was shorter at the 5' end. Sequence analysis showed no differences between the clones. All fourteen clones showed an identical hybridization behavior, indicating that these clones represent transcripts of the same gene. The EcoRI sticky-ends were filled-in using the Klenow fragment of DNA 15 polymerase I and dNTPs. This blunt-ended fragment was cloned into the HincII site of M13mp7 so it could subsequently be isolated as BamHI fragment. This was cloned into the BamHI site of VIP103 (van der Krol et al., (1988) Nature 333:866-869) from which the CHS sequences had been removed. The 20 clone which contains the BamHI DFR fragment in sense orientation to the CaMV 35-S promoter was called VIP178.

For transformation of Petunia hybrida VR plants, the binary vectors with the different gene constructs were mobilized into Agrobacterium tumefaciens strain LBA 4404 25 using standard triparental mating techniques (Ditta et al. (1980) Proc. Natl. Acad. Sci. U.S.A. 77:7347-7351). Transformants were obtained through the standard leaf-disc transformation method (Horsch et al. (1985) Science 227:1229-1231). Transformed Petunia hybrida VR plants were grown in 30 the greenhouse.

#### B. Description of Transformants

VIP178 contains the CaMV 35-S promoter, a full-length cDNA copy of the petunia R27 DFR gene and a nopaline synthase 3' tail fragment. The DFR gene construct (VIP178) 35 was introduced into petunia VR. Of the 25 plants regenerated, 19 plants show a flower phenotype indistinguishable from that of untransformed petunia VR

plants. However, six plants show a reduction in flower pigmentation in sector or ring patterns. The degree of pigmentation varies among different flowers of the same plant. For instance, flowers on transformant 178-16 are 5 either completely pigmented or have a white corolla.

C. Messenger RNA Data

RNA was extracted from flowerbuds (stage 1-6 as defined by Koes et al., (1989) Plant Mol. Biol. 12:213-226). To average out small differences in developmental stage of 10 the flowerbuds, five flowerbuds taken from one plant were pooled per stage. Nucleic acid isolation was performed as described by Koes et al., (1987) Plant Mol. Biol. 10:375-385. The <sup>32</sup>P-labeled DFR antisense RNA was synthesized from the vector pTZ18U in which the full-length DFR cDNA EcoRI 15 fragment was cloned. This probe is completely protected by the transcripts of the VIP178, while RNase protection with petunia VR DFR RNA results in multiple fragments due to sequence divergence between the DFR genes of petunia lines R27 and VR.

20 The RNase protection experiments permitted distinction between the DFR mRNA from the sense DFR gene construct (VIP178, transcript completely protected by the R27-DFR probe) and the petunia VR DFR mRNAs (two subfragments upon RNase protection with the R27-DFR probe). For 25 transformants 178-16 and 178-17, the DFR mRNA steady-state level in flowerbud stage 4 resulting from expression of the transgene, together with that of the endogenous DFR, genes was analyzed. In 178-17 a high expression of the DFR transgene was observed relative to that of endogenous DFR 30 gene(s). In pigmented floral tissue of 178-16 the same effect was noted. In contrast, a severe reduction in both the endogenous as well as the transgene DFR mRNA steady-state levels was observed in white flora tissue of transformant 178-16.

35 All publications are herein incorporated by reference to the same extent as if each individual publication or patent application was specifically and

41

individually indicated to be incorporated by reference. The invention now being fully described, it will be apparent to one of ordinary skill in the art that many changes and modifications can be made thereto without departing from the  
5 spirit or scope of the claims.

WE CLAIM:

1. A method for producing a plant exhibiting one or more desired phenotypic traits, said method comprising the  
5 steps of:

growing plants from transgenotes comprising a nucleic acid segment operably linked to a promoter, wherein transcription products of the segment are substantially homologous to corresponding transcripts of a sequence  
10 encoding a flavonoid biosynthetic pathway protein region; and selecting a plant exhibiting the desired phenotypic trait.

2. A method of Claim 1, wherein the plant is a  
15 member of the genus Petunia.

3. A method of Claim 1, wherein the nucleic acid segment comprises a full length coding region of a flavonoid biosynthetic pathway gene.  
20

4. A method of Claim 1, wherein the endogenous sequence comprises DNA encoding a chalcone synthase protein.

5. A method of Claim 1, wherein the promoter is a  
25 constitutive promoter.

6. A method of Claim 1, wherein the plant is a flowering plant.

30 7. A method of Claim 6, wherein one trait is a color change in the flower of the plant.

35 8. A method of Claim 7, wherein the change comprises a reduction in color intensity, a change in color or a change in color pattern.

9. A method of Claim 1, wherein the nucleic acid segment is in an RNA vector.

10. A plant produced in accordance with Claims 1,  
5 3 or 6.

11. A method for reducing expression of an endogenous nucleic acid sequence coding for a protein acting in a flavonoid biosynthetic pathway of a plant, said method comprising the step of introducing into a cell of the plant a DNA segment substantially homologous to the sequence and under the operational control of a promoter sequence, wherein one DNA segment strand contains both a promoter and coding sequence.

15

12. A method of Claim 11, wherein the cell is transformed with a vector comprising the segment.

13. A method of Claim 12, wherein the vector  
20 comprises the promoter sequence.

14. A method of Claims 12 or 13, wherein the promoter is endogenous to the plant.

25 15. A method of Claims 12 or 13, wherein the DNA segment is temporally expressed before or concurrently with the endogenous sequence.

30 16. A method of Claim 11, wherein the DNA segment comprises at least about 50 nucleotides.

17. A method of Claim 11, wherein the endogenous sequence encodes a chalcone synthase protein.

35 18. A method of Claim 11, wherein the plant is a dicotyledonous plant.

19. A method of Claim 11, wherein the plant is a flowering plant species.

20. A method of Claim 19, wherein the plant is a member of the genus Petunia.

21. A method for modifying the color pattern of petunia flowers comprising altering flower pigment production by transforming a petunia cell with a chalcone synthase gene 10 contained in a disabled Ti plasmid of Agrobacterium tumefaciens, wherein the gene is operably linked to a promoter.

22. A plant of the genus Petunia capable of 15 exhibiting altered flower coloring, said plant comprising cell transformed with a sequence which is transcribed into an mRNA sequence substantially homologous to a flavonoid biosynthetic pathway gene.

23. A plant of Claim 22, wherein the cells are transformed with a vector selected from the group consisting of:

- a) viral vectors;
- b) episomal vectors;
- c) shuttle vectors;
- d) Ti plasmid vectors; and
- e) transposon vectors;
- f) homologous recombination vectors; and
- g) mini-chromosome vectors.

24. A plant of Claim 22, wherein the gene encodes 30 a chalcone synthase protein.

25. A plant of Claim 22, which exhibits an altered 35 color intensity, an altered color or an altered color pattern.

26. A vector capable of transforming a plant cell and directing expression of a flavonoid biosynthetic pathway gene, said vector comprising the gene operably linked to a plant promoter within a disabled Ti plasmid.

5

27. A vector of Claim 26, wherein the promoter is a cauliflower mosaic virus promoter.

28. A vector of claim 26, wherein the gene encodes  
10 a chalcone synthase promoter.

29. A plant cell comprising an endogenous sequence coding for a flavonoid biosynthetic pathway gene, said gene operably linked to a heterologous promoter.

15

30. A plant cell comprising a heterologous DNA sequence producing an RNA transcript substantially homologous to a transcript from an endogenous flavonoid biosynthetic pathway gene.

20

31. A plant cell comprising an Agrobacterium Ti plasmid containing a TDNA sequence having a flavonoid biosynthetic pathway gene under TDNA control.

25

32. A plant comprising a cell of Claim 29, 30 or 31.

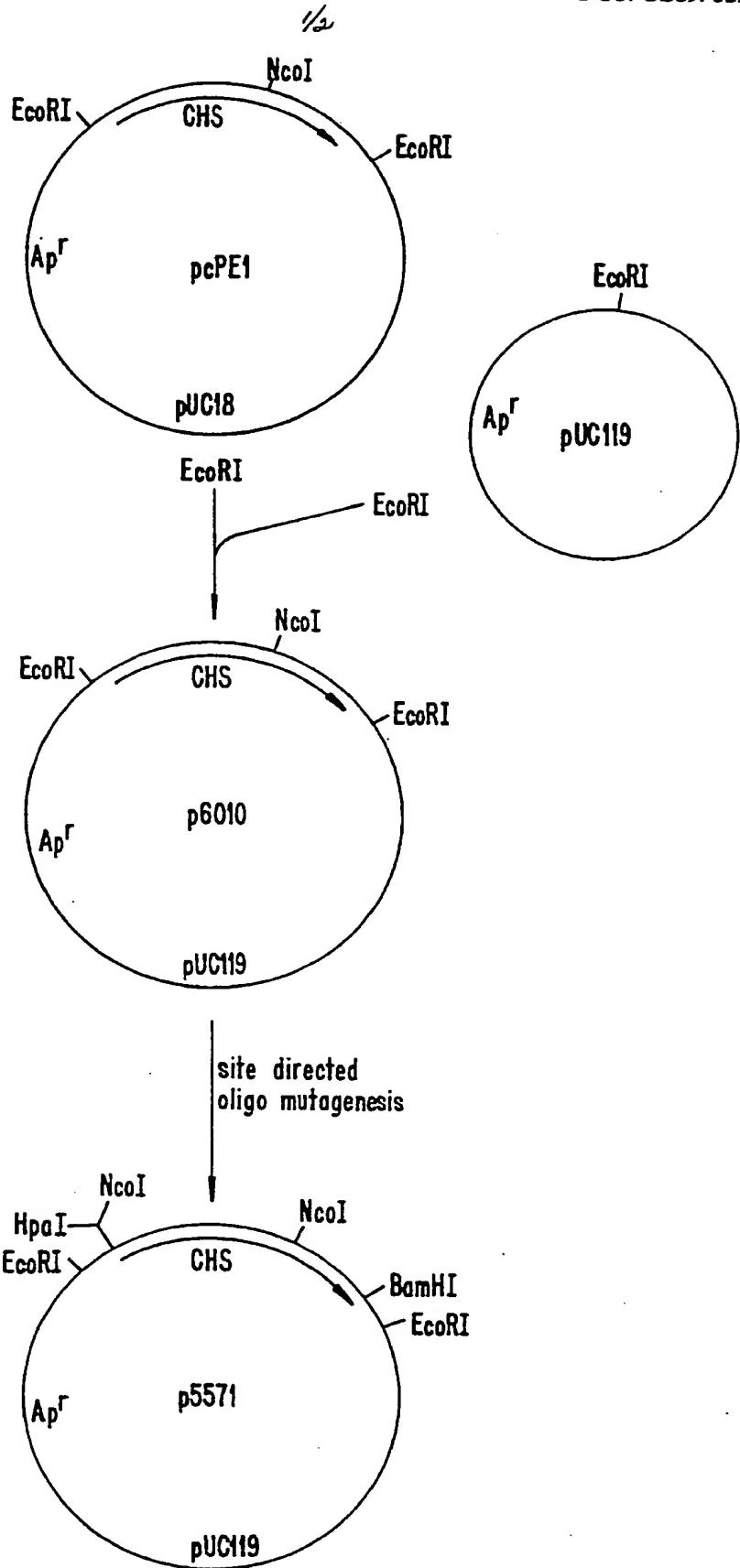


FIG.\_1A.  
SUBSTITUTE SHEET

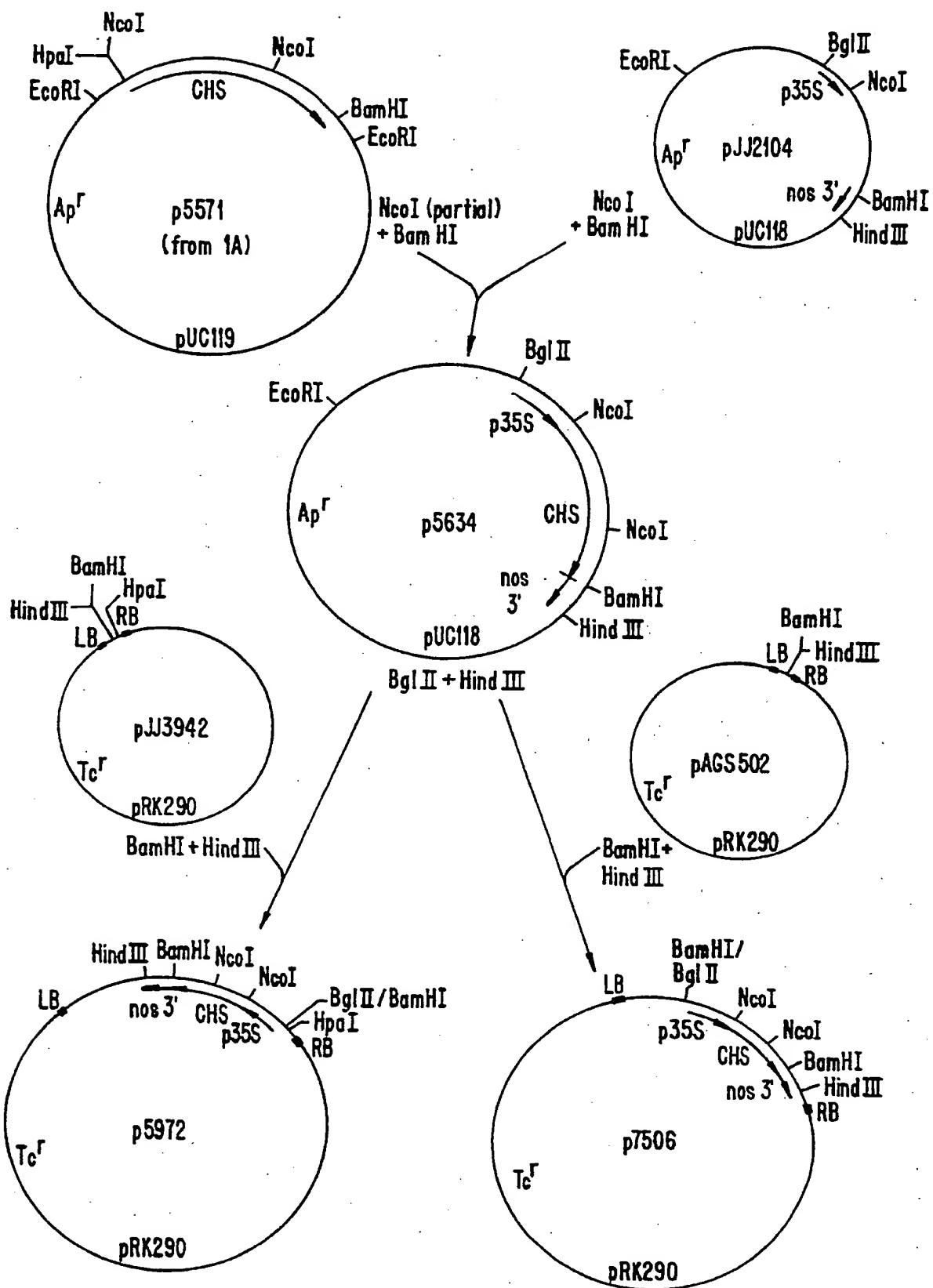


FIG. 1B.

SUBSTITUTE SHEET

# INTERNATIONAL SEARCH REPORT

International Application No. PCT/US89/03565

## I. CLASSIFICATION OF SUBJECT MATTER (if several classification symbols apply, indicate all) \*

According to International Patent Classification (IPC) or to both National Classification and IPC

**IPC(4): A01H 1/04; C12N 15/00, 1/00; C07H 21/02, 21/04**

**U.S. CL.: 800/1; 435/172.3, 317.1; 536/27**

## II. FIELDS SEARCHED

Minimum Documentation Searched ?

Classification System	Classification Symbols
U.S.	800/1; 536/27 435/172.3, 317.1 935/35, 64, 67, 30, 55

Documentation Searched other than Minimum Documentation  
to the Extent that such Documents are Included in the Fields Searched §

**DATABASES:** Dialog Information Services Inc. (File Agri); USPTO Automated Patent System (File USPAT, 1975-1989) See Attachment for search terms.

## III. DOCUMENTS CONSIDERED TO BE RELEVANT \*

Category *	Citation of Document, ** with indication, where appropriate, of the relevant passages §	Relevant to Claim No. ***
Y	Nature (London, England), Volume 333, Issued June 1988, Van der Krol, et al., "An anti-sense chalcone synthase gene in transgenic plants inhibits flower pigmentation", pages 866-869, see the entire document.	1-8, 10-27 29-32
Y	Promega Catalog (Wisconsin, U.S.A.), 1988/1989, see page 2.	9, 30
Y	The New Phytologist (London, England) Volume 103, Issued 1986, Hall et al., "Factors determining anthocyanin yield in cell cultures of <u>Catharanthus roseus</u> (L.) G. Don.", pages 33-43, see especially pages 33 and 40-42.	1-4, 6-8, 10 17-22, 24-25, 30, 32

### \* Special categories of cited documents: \*\*

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

## IV. CERTIFICATION

Date of the Actual Completion of the International Search

18 September 1989

Date of Mailing of this International Search Report

16 OCT 1989

International Searching Authority

ISA/US

Signature of Authorized Officer

*Barbara M. Chereskin*  
BARBARA M. CHERESKIN

## III. DOCUMENTS CONSIDERED TO BE RELEVANT (CONTINUED FROM THE SECOND SHEET)

Category *	Citation of Document, with indication, where appropriate, of the relevant passages	Relevant to Claim No
Y	Nature (London, England), Volume 330, Issued December 1987, Meyer et al., "A new petunia flower color generated by transformation of a mutant with a maize gene", pages 677-678, see the entire document.	1-3,5-8, 10-13, 15-16, 18-20, 22-23,25, 27,29-30, 32
Y	Molecular and General Genetics (Heidelberg, Germany), volume 199, Issued 1985, Reif, et al., "Cloning and Analysis of two genes for chalcone synthase from <u>Petunia hybrida</u> ," pages 208-215, See the entire document.	1-4,6, 10-24, 26,28-32
Y	Physiologia Plantarum (Copenhagen, Denmark), volume 69, Issued 1987, Ozeki, et al., "Changes in activities of enzymes involved in flavonoid metabolism during the initiation and suppression of anthocyanin synthesis in carrot suspension cultures regulated by 2,4-dichlorophenoxyacetic acid", pages 123-128, see the entire document.	1-4,6-8, 10,17-22, 24-25,30, 32
Y	Nucleic Acids Research (Oxford, England) volume 14, Issued 1986, Koes, et al., "Floral tissue of <u>Petunia hybrida</u> (V30) expresses only one member of the chalcone synthase multigene family", pages 5229-5239, see the entire document.	1-4,6, 10-24,26 28-32
Y	The EMBO Journal (Oxford, England) volume 2, Issued 1983, Reimold et al., "Coding and 3' non-coding nucleotide sequence of chalcone synthase mRNA and assignment of amino acid sequence of the enzyme," pages 1801-1805, see the entire document.	1-4,6, 10-12, 16-24,26, 28-32
A	Plant Molecular Biology (Dordrecht, The Netherlands), volume 10, Issued 1987, Koes et al., "The chalcone synthase multigene family of Petunia hybrida (V30): sequence homology, chromosomal localization and evolutionary aspects," pages 159-169, see the entire document.	1-32

FURTHER INFORMATION CONTINUED FROM THE SECOND SHEET

Y	Molecular and General Genetics (Heidelberg, Germany), volume 192, Issued 1983, Mol. et al., "Regulation of flavonoid gene expression in <u>Petunia hybrida</u> : description and partial characterization of a conditional mutant in chalcone synthase gene expression" pages 424-429, see the entire document.	1-4,6-8, 10, 17-22, 24-25,30, 32
---	---	--

V.  OBSERVATIONS WHERE CERTAIN CLAIMS WERE FOUND UNSEARCHABLE:

This international search report has not been established in respect of certain claims under Article 17(2) (a) for the following reasons:

1.  Claim numbers \_\_\_\_\_, because they relate to subject matter<sup>12</sup> not required to be searched by this Authority, namely:

2.  Claim numbers \_\_\_\_\_, because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out<sup>13</sup>, specifically:

3.  Claim numbers \_\_\_\_\_, because they are dependent claims not drafted in accordance with the second and third sentences of PCT Rule 6.4(a).

VI.  OBSERVATIONS WHERE UNITY OF INVENTION IS LACKING:

This International Searching Authority found multiple inventions in this international application as follows:

1.  As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims of the international application.

2.  As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims of the international application for which fees were paid, specifically claims:

3.  No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claim numbers:

4.  As all searchable claims could be searched without effort justifying an additional fee, the International Searching Authority did not invite payment of any additional fee.

Remark on Protest

- The additional search fees were accompanied by applicant's protest.
- No protest accompanied the payment of additional search fees.

Attachment to Form PCT/ISA/210 Part II.

II. Fields Searched Search Terms:

chaleone synthase

flavonoid biosynthesis

Flavanoid?

transgenic plant

Flavone?

Flavonone?

Flavonol?

chalcone?

aurone?

anthocyanin?

flower color

feedback inhibition

repress?

transcript?

**THIS PAGE BLANK (USPTO)**